

FILED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

07 NOV 19 AM 10:21

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Patrick MOLL,

Defendant.

BY: *MPI* DEPUTY  
Magistrate Case No. **'07 MJ 2689**


COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1324(a)(2)(B)(iii)  
Bringing in Illegal Alien(s)  
Without Presentation

The undersigned complainant being duly sworn states:

On or about **November 18, 2007**, within the Southern District of California, defendant **Patrick MOLL** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Maricela QUIROZ-Espinal**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
Signature of Complainant  
Sara Esparagoza, United States Customs  
and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence, this **19<sup>th</sup>** day of **November, 2007**.

  
United States Magistrate Judge

**PROBABLE CAUSE STATEMENT**

The complainant states that **Maricela QUIROZ-Espinal** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On November 18, 2007 at approximately 7:55 AM **Patrick MOLL** (Defendant) made application for admission into the United States at the San Ysidro Port of Entry as the driver and sole visible occupant of a 1989 Honda Accord. Defendant did not have any type of valid identification and explained to the primary Customs and Border Protection (CBP) Officer that other officers had already checked his vehicle prior to arriving to the primary inspection area. Defendant stated his wife owns the vehicle and that he was not bringing anything back from Mexico. Defendant went on to explain that he lives in Mexico and was on his way to work. The CBP Officer noticed the vehicle had no prior crossing history. Defendant and the vehicle were referred to secondary for a more thorough inspection.

In secondary, a CBP Officer inspected the vehicle and noticed a hollow space between the rear seat cushion and the backrest. The officer removed the seat and discovered a human being concealed inside a non-factory compartment where the gas tank of the vehicle should be located. The individual was determined to be a citizen of Mexico without legal documents to enter the United States. The individual was retained as a Material Witness and is now identified as **Maricela QUIROZ-Espinal**.

During a video-recorded interview, Material Witness declared she is a citizen of Mexico without legal documents to enter the United States. Material Witness stated her husband made arrangements and was going to pay \$2,500.00 USD for her to be smuggled into the United States. Material Witness stated she was going to Santa Ana, California.